

ATTORNEY'S DOCKET NUMBER: 0492479-0054
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Kinstler et al.	Examiner:	Zemel, Irina Sopjia
Patent No.:	7,160,924	Art Unit:	1711
Issue Date:	January 9, 2007	Conf. No.:	3557
Title:	PROTEIN CONJUGATES WITH A WATER-SOLUBLE BIOCOMPATIBLE, BIODEGRADABLE POLYMER		

VIA EFS-WEB FILING

ATTENTION: CERTIFICATE OF CORRECTION BRANCH

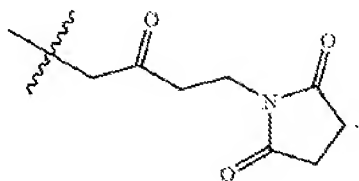
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CORRECTION OF PATENT FOR PTO MISTAKE
UNDER 37 C.F.R. § 1.322(a)

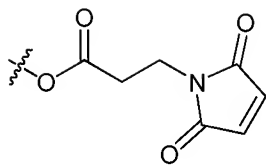
Sir:

1. Attached is Form PTO/SB/44, suitable for printing.
2. The exact location (column and line number(s)) where the error occurs in the issued patent is as follows:

In claim 7, column 22, lines 52-60, please delete the structure:



and insert the structure:



3. 37 C.F.R. § 1.322(a) states “[t]he Director may issue a certificate of correction pursuant to 35 U.S.C. § 254 to correct a mistake in a patent, incurred through the fault of the Office, which mistake is clearly disclosed in the records of the Office.” Patentees submit a request for a certificate of correction under 37 C.F.R. § 1.322(a) in light of the of the Patent Office’s generation of the structural error in claim 7 of the issued patent. The claims as amended on July 24, 2006 (a copy of which is attached as **Exhibit A**) did not have the structural error that appears in the issued patent. Therefore, this error was an error made by the Office upon publication of U.S. Patent No. 7,160,924.

4. All required documents to effect the above-listed corrections are properly submitted.

5. Patentees respectfully submit that the request for correction of the patent is necessitated due to mistakes of the Office, and therefore, no fee is required. If, however, Patentees are mistaken, then Patentees request a Notice be issued explaining any such fees due.

6. Please address correspondence to:

Kristen C. Buteau
Choate, Hall & Stewart LLP
Two International Place
Boston, Massachusetts 02110

Respectfully submitted,

/Kristen C. Buteau/

Kristen C. Buteau

Reg. No. 66,755

Dated: December 20, 2010

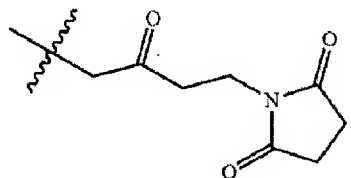
PATENT DEPARTMENT
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**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

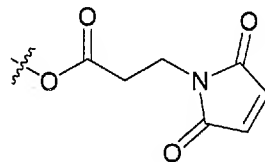
PATENT NO. : 7,160,924
APPLICATION NO.: 10/622,998
ISSUE DATE : January 9, 2007
INVENTOR(S) : Kinstler et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In claim 7, column 22, lines 52-60, please delete the structure:



and insert the structure:



MAILING ADDRESS OF SENDER (Please do not use customer number below):

Kristen C. Buteau Choate, Hall & Stewart LLP Two International Place Boston, MA 02110
Patentdocket@choate.com

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

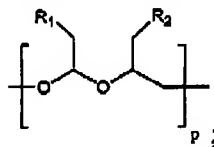
EXHIBIT A

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AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. **(Previously Presented)** A biodegradable, biocompatible polyacetal derivative derived from exhaustive lateral oxidative cleavage of dextran, the polyacetal derivative having the structure:



wherein p is an integer;

for n independent occurrences of the bracketed structure p, R₁ and R₂ are each hydroxyl;

for m independent occurrences of the bracketed structure p, one of R₁ and R₂ is hydroxyl, the other is a maleimidocarboxylate moiety;

the sum m+n=p; and

m:n is from 0.1:10 to 1:25.

2. **(Canceled)**

3. **(Previously Presented)** A polyacetal-protein conjugate, wherein said conjugate is obtained by conjugation of a protein with the polyacetal of claim 1.

4. **(Canceled)**

5. **(Original)** The polyacetal-protein conjugate of claim 3, wherein the protein is selected from the group consisting of an antibody, etanercept, insulin, gastrin, prolactin, adrenocorticotrophic hormone (ACTH), thyroid stimulating hormone (TSH), luteinizing hormone (LH), follicle stimulating hormone (FSH), human chorionic gonadotropin (HCG), motilin, interferon alpha, interferon beta, interferon gamma, tumor necrosis factor (TNF), tumor necrosis factor-binding protein (TNF-bp), brain derived neurotrophic factor (BDNF), glial derived neurotrophic factor

(GDNF), neurotrophic factor 3 (NT3), fibroblast growth factors (FGF), neurotrophic growth factor (NGF), bone growth factors such as osteoprotegerin (OPG), insulin-like growth factors (IGFs), macrophage colony stimulating factor (M-CSF), granulocyte macrophage colony stimulating factor (GM-CSF), megakaryocyte derived growth factor (MGDF), keratinocyte growth factor (KGF), thrombopoietin, platelet-derived growth factor (PDGF), colony stimulating growth factors (CSFs), bone morphogenetic protein (BMP), superoxide dismutase (SOD), tissue plasminogen activator (TPA), urokinase, streptokinase, kallikrein, flt3 ligand, CD40 ligand, thrombopoietin, calcitonin, Fas ligand, ligand for receptor activator of NF-kappa B (RANKL), tumor necrosis factor (TNF)-related apoptosis-inducing ligand (TRAIL), thymic stroma-derived lymphopoietin, mast cell growth factor, stem cell growth factor, epidermal growth factor, RANTES, growth hormone, insulinotropin, parathyroid hormone, glucagon, interleukins 1 through 18, colony stimulating factors, lymphotoxin-beta, leukemia inhibitory factor, oncostatin-M, an Eph receptor, and Ephrin ligands.

6. (Canceled)

7. (Currently Amended) A composition comprising a polyacetal-protein conjugate of claim 3 ~~claim 3 or 4~~, and a pharmaceutically acceptable carrier.

8. (Previously Presented) A process for preparing a biodegradable, biocompatible polyacetal-protein conjugate, said process comprising: (a) providing a polyacetal derivative of claim 1; (b) conjugating said polyacetal derivative to a protein to provide a polyacetal-protein conjugate; and (c) isolating said polyacetal-protein conjugate.

9. (Previously Presented) A method of treating obesity comprising administering an effective amount of a polyacetal-leptin conjugate to a patient in need thereof, wherein the polyacetal-leptin conjugate is derived from conjugation of leptin with the polyacetal derivative of claim 1.

10. (Canceled)

11. (Canceled)

12. (Previously Presented) The polyacetal derivative of claim 1, wherein the maleimidocarboxylate moiety is maleimidopropionate having the structure:

